

476.1B Applicability of authority — municipally owned utilities.

1. Unless otherwise specifically provided by statute, a municipally owned utility furnishing gas or electricity is not subject to regulation by the board under [this chapter](#), except for regulatory action pertaining to:

a. Assessment of fees for the support of the division and the office of consumer advocate, as set forth in [section 476.10](#).

b. Safety standards.

c. Assigned areas of service, as set forth in [sections 476.22 through 476.26](#).

d. Enforcement of civil penalties pursuant to [section 476.51](#).

e. Disconnection of service, as set forth in [section 476.20, subsections 1 through 4](#).

f. Encouragement of alternate energy production facilities, as set forth in [sections 476.41 through 476.45](#).

g. Enforcement of [section 476.56](#).

h. Enforcement of [section 476.66](#).

i. Enforcement of [section 476.62](#).

j. An electric power agency as defined in [chapter 28F](#) and [section 390.9](#) that includes as a member a city or municipally owned utility that builds transmission facilities after July 1, 2001, is subject to applicable transmission reliability rules or standards adopted by the board for those facilities.

k. Filing alternate energy purchase program plans with the board, and offering such programs to customers, pursuant to [section 476.47](#).

2. The board may waive all or part of the energy efficiency filing and review requirements for municipally owned utilities which demonstrate superior results with existing energy efficiency efforts.

3. Unless otherwise specifically provided by statute, a municipally owned utility providing local exchange services is not subject to regulation by the board under [this chapter](#) except for regulatory action pertaining to the enforcement of [sections 476.95, 476.95A, 476.95B, 476.100, and 476.102](#).

[86 Acts, ch 1162, §1; 88 Acts, ch 1174, §2; 88 Acts, ch 1175, §2; 89 Acts, ch 297, §10; 90 Acts, ch 1252, §20; 96 Acts, ch 1196, §4, 5; 97 Acts, ch 81, §1, 2, 6; 99 Acts, ch 63, §7, 8; 2001 Acts, 1st Ex, ch 4, §9, 36; 2008 Acts, ch 1133, §3, 9; 2010 Acts, ch 1018, §6; 2017 Acts, ch 62, §4; 2017 Acts, ch 169, §37, 49; 2018 Acts, ch 1135, §5; 2018 Acts, ch 1160, §5](#)

Referred to in [§364.3, 476.58](#)

Subsection 1, paragraph j stricken effective July 1, 2022, pursuant to its own terms, and former paragraphs k and l redesignated as j and k